

## Message Text

UNCLASSIFIED

PAGE 01 USUN N 03217 131835Z

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ACTION DLOS-06

INFO OCT-01 IO-13 ISO-00 ACDA-10 AGR-10 AID-05 CEA-01

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INR-07 INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-02

OES-06 OMB-01 PA-02 PM-04 PRS-01 SP-02 SS-15 USIA-15

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UNCLAS USUN 3217

FROM LOS DEL

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: INFORMAL MEETING OF NEGOTIATING GROUP I (ECONOMIC ZONE)  
OF COMMITTEE II, P.M., 12 AUGUST

1. GENERAL DEBATE ON LEGAL STATUS OF ECONOMIC ZONE  
CONTINUED, WITH COASTAL STATE GROUP TAKING THE OFFENSIVE.  
STATEMENTS BY SAUDI ARABIA, CHILE, BRAZIL, COLUMBIA,  
NIGERIA, URUGUAY, IRAN, ARGENTINA, AND YEMEN ON THE ONE  
SIDE, WITH UK, JAPAN, FRG AND POLAND ON THE OTHER. JAMAICA AND  
SPAIN FELL IN SOMEWHERE IN THE MIDDLE, SUGGESTING THAT  
LEGAL STSTUS OF ZONE NOT BE DIFINED, REPLYING INSTEAD ON  
EXHAUSTIVE ATTRIBUTION OF COMPETENCE IN THE ZONE BETWEEN  
COASTAL AND OTHER STATES.

2. URUGUAY TABLED REVISED ARTICLES 44 AND 47:

ARTICLE 44:

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PAGE 02 USUN N 03217 131835Z

QUOTE 1. THE COASTAL STATE HAS THE RIGHT TO ESTABLISH BEYOND AND ADJACENT TO ITS TERRITORIAL SEA, A ZONE OF NATIONAL JURISDICTION CALLED THE EXCLUSIVE ECONOMIC ZONE.

2. THE COASTAL STATE EXERCISES IN THE EXCLUSIVE ECONOMIC ZONE:

A. SOVEREIGN RIGHTS FOR THE PURPOSE OF EXPLORING AND EXPLOITING, CONSERVING AND MANAGING THE NATURAL RESOURCES, WHETHER LIVING OR NON-LIVING OF THE BED AND SUBSOIL AND THE SUPERJACENT WATER, INCLUDING THE PRODUCTION OF ENERGY FROM THE WATER, CURRENTS AND WINDS AND ANY OTHER ACTIVITIES FOR THE ECONOMIC EXPLORATION AND EXPLOITATION OF THE ZONE.

B. EXCLUSIVE JURISDICTION WITH REGARD TO:

I. THE ESTABLISHMENT AND USE OF ARTIFICIAL ISLANDS, INSTALLATIONS, STRUCTURES AND DEVICES.

II. REGULATION, AUTHORIZATION AND CONTROL OF SCIENTIFIC RESEARCH.

III. PRESERVATION AND PROTECTION OF THE MARINE ENVIRONMENT, INCLUDING POLLUTION CONTROL AND ABATEMENT, IN ACCORDANCE WITH THE RELEVANT PROVISIONS OF THE PRESENT CONVENTION.

C. ALL OTHER RIGHTS COMPATIBLE WITH THE PRESENT CONVENTION, TO THE EXTENT THAT THE FREEDOMS OF NAVIGATION AND OVERFLIGHT, AND OF THE LAYING OF SUBMARINE CABLES AND PIPELINES AND OTHER INTERNATIONALLY LAWFUL USES OF THE SEA DIRECTLY RELATED TO NAVIGATION AND COMMUNICATION, ARE NOT UNDULY AFFECTED.

3. IN EXERCISING ITS RIGHTS AND PERFORMING ITS DUTIES IN THE EXCLUSIVE ECONOMIC ZONE, THE COASTAL STATE SHALL HAVE DUE REGARD TO THE RIGHTS AND DUTIES OF OTHER STATES PROVIDED FOR THE PRESENT UNCLASSIFIED

UNCLASSIFIED

PAGE 03 USUN N 03217 131835Z

CONVENTION.

4. THE RIGHTS SET OUT IN THIS ARTICLE WITH RESPECT TO THE BED AND SUBSOIL SHALL BE EXERCISED IN ACCORDANCE WITH CHAPTER IV. UNQUOTE

ARTICLE 47:

QUOTE IN CASES WHERE A CONFLICT ARISES BETWEEN THE INTERESTS OF THE COASTAL STATE AND ANY OTHER STATE OR STATES REGARDING A QUESTION RELATED TO THE EXCLUSIVE ECONOMIC ZONE, THAT IS NOT ADEQUATELY FORESEEN IN THIS CONVENTION, SAID CONFLICT SHOULD BE RESOLVED TAKING EQUITY INTO ACCOUNT AND IN THE LIGHT OF ALL THE RELEVANT CIRCUMSTANCES, HAVING DUE REGARD TO THE RESPECTIVE IMPORTANCE OF THE INTERESTS INVOLVED TO THE PARTIES AS WELL AS TO THE INTERNATIONAL COMMUNITY AS A WHOLE. UNQUOTE.

URUGUAY ALSO PROPOSED THE DELETION OF ARTICLE 46-2, RSNT.

3. POLAND COUNTERED TO PROPOSE AMENDING ARTICLE 44 SO THAT IT WOULD BEGIN QUOTE THE ECONOMIC ZONE IS THAT PORTION OF THE HIGH SEAS IN WHICH THE COASTAL STATE HAS SOVEREIGN RIGHTS IN RESPECT OF RESOURCES UNQUOTE.

4. CHILE COUNTERED A STANDARD MARITIME AND LL/GDS ARGUMENT THAT STARTING POINT IN PRESENT NEGOTIATION IS THAT AREA WHICH WOULD COMPRISE ECONOMIC ZONE IS PRESENTLY HIGH SEAS, BY ARGUING THAT THIS ASSUMPTION AS TO STATUS QUO IS INCORRECT, CITING UNILATERAL ACTIONS OF US, CANADA, MEXICO, SEVERAL LATINS, ICELAND, NORWAY, ECONOMIC COMMUNITY, INDIA, SENEGAL, SOMALIA AND OTHER AFRICAN STATES AS STANDING FOR PROPOSITION THAT 200 MILE ZONES OF NATIONAL JURISDICTION HAVE BEEN ACCEPTED BY THE INTERNATIONAL COMMUNITY BY WAY OF THE CUSTOMARY GROWTH OF INTERNATIONAL LAW. BENNETT

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